App. F. IX-4

1918.

File No. 8 18

Previous References

Serial Nos. 1–6

Later References

General and Revenue Secretariat.

A collection

Serial Nos. Six

Manuscript **Part A for** July 1919

SUBJECT

Amendment to the Mysore Railways Regulation, 1894.

Manavasamy Iyengar
8-11-27

~~Previous References~~ File No 8-1918.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.
and
PROCEEDINGS OF THE GENERAL REVENUE SECRETARIAT.

For July 1919.

Judicial and Legislative(Legislation).

~~New~~ Collection Serial No 1-6

Amendments to the Mysore Railways Regulation 1894.

Table of contents

Serial No.	Number and date of letter and contents	Page in A Proceedings
1.	From the Secretary for Railways. No 50 dated 17-7-18. Forwards for favour of needful action certain amendments to the Mysore Railways Regulation 1894.	
2.	To the First Assistant to the Resident. No. Pol 292 dated 20-9-18. Forwards a copy of the Bill with the statement of objects and reasons.	
3.	From the First Assistant to the Resident. No 6747 dated 27-9-18. States that the Resident sees no prima facie objection to the Bill being placed before the Legislative Council.	
4.	To the First Assistant to the Resident. No Pol 1137 dated 15-5-19. States that, as the measure falls under Cl 9 of the proviso to Section 12 of the Mysore Legislative Council Regulation, it is excluded from the perview of the Legis. Council and requests that the sanction of the Govt. of India may be obtained for passing the Bill into law.	
5.	From the First Assistant to the Resident. No 5033 dated 27-6-19.	

Communicates the sanction of the Govt. of India to the Bill and suggests that the marginal heading of Section 96 may be suitably amended.

6. To The Compiler, Mysore Gazette. No G2091 dated 26-7-19.

Orders the publication of the Regulation as Regulation No X of 1919.

T V R .

GENERAL AND REVENUE SECRETARIAT.

(Legis)

NOTES.

File No. 8-18

FILE HEADING.

Amendment to the Mysore Railways Regulation, 1894.

From

The Secretary for Rys. Govt. of Mysore

No. 50 Dated 17-7-18. Received 19-7-18

Diary No. G. 1181	Enclos. 3 Spare Copies.	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Forwards for favour of needful action certain amendments to the Mysore Railways Regulation, 1894

NOTES AND ORDERS.

Dewan's orders

"Action may be taken in Legis. Br. of the G. R. S. as proposed by the Ry. Secy."

(Initld) M. V.

G. R. S. III-2]

1181

2

2

General and Revenue Secretariat. | Legs. File No. 8 of 1918.

Serial No.

2) Subd. with a draft bill embodying the suggestions of the Ry. Secy. with a statement of objects & reasons. The draft Bill closely follows the Indian Amending S.V.S. Act, of 1896

S.V.S. 23/7. 23/7

3) Please put up typed copy as amended

C. Srinivasa Iyer 25/7

4) Subd. with typed copy

S.V.S. 26/7. 26/7

5) In favour of approving the amendments

C. Srinivasa Iyer 27/7

~~Dist. Members~~

506/3.8

6) submitted.

Vellanbaraja Nair. 3/8

7) May be circulated by circulation.

C. S. Balasundaram Iyer 7/8/18

~~Dewan~~

(With Govt) 765 6/8/18

8) Yes

10-8-18 Visvesvaraya

9) Circulated. Balasundaram 12/8/18 Iyer

10) I agree Rangachandra Rao 20.8.18

NOTE—Contn. sheet.

WD A 1789—GPB—60,000—20-3-18—S.

3

(For Disposal by Circulation)

No. C. 902 3

20/8/1918

GENERAL AND REVENUE SECRETARIAT.

COUNCIL MATTER.

SUBJECT.

Amendments to be made in the Mysore Railways Regulation.

CIRCULATED TO THE MEMBERS OF COUNCIL.

By Order,

C S Balasundaram

16th August 1918. Chief *Secretary to Government.*

Extraordinary Member of Council.

First Member of Council. Seen

Second Member of Council.

Extra Member of Council. Official Recorder

WD 2670—GPB—1,000—11-5-17

G. R. S. III-2]

General and Revenue Secretariat. | Legis File No. 8 of 191 8.

Serial No.

~~17~~

11) Subd. with a D.S.N. and D.F.N.
S.V.S.
~~24~~ 24/8/18
30

12) Please put up typed draft as advised
S. Srinivasa Iyer
28/8/18

~~19~~

13) Typed draft submitted
~~24~~ S.V.S.
16/8

~~20~~ 14) In favour of approval
S. Srinivasa Iyer 28/8

330-200
28.8.18

~~Certain members~~

~~21~~ D.F.N. approved

Rest
31-8-18

22) D.F.N. submitted
Denied
29/8/18
SS

1348
31/8/18

2 To, The A. Resident
No. 292 dt 20-8-18
Forwards a copy of the Bill to amend the Mysore Railway Regulation 1894 together with a copy of the Statement of objects & reasons and States that the Bill will be placed before the Legis. Council

Sus H
24/9/18

NOTE—Contn. sheet.

Final Note by the Extra Member of Council.

Subject:—

Amendment of the Mysore Railways Regulation.

---

23)

T

15) The Secretary for Railways has brought to the notice of Government that since the passing of the Mysore Railways Regulation in 1894, the Indian Railways Act, 1890, on which our Regulation is based, has been amended by the Indian Railways Amendment Act of 1896, and recommended that our Regulation may be brought into a line with that in force in British India. A draft Bill has accordingly been prepared. This has been approved by the other Members of Council.

24) 16) The gracious sanction of His Highness the Maharaja is required to place the Bill before the Legislative Council.

P. Raghavendra Rao
2.9.18

2nd September 1918.— Member of Council.

6

Submitted to His Highness.

S

I submit herewith a Final Note by the Extra Member of Council on the subject of amendment of of the Mysore Railways Regulation.

.....

for His Highness' gracious approval.

M. Visvesvaraya
Dewan.
7th Sep. 1918

C.902

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

C.1

Draft Bill to amend the Mysore Railways Regulation, 1894.

27/18) *Order.*

10.9.18.

28) Lemitz for Copy
11.9.18

1195/14/9

14/9

3801/14.9.18.

756-26/12.8-18.

12.9.18

4/1894

1181 (4707) 8 8

G. R. S. III-2]

General and Revenue Secretariat. | Legis File No. 8 of 1918

Serial No.	
	19) Subd. with a draft to the Residency SVS. 18/9/18
2	20) Issued To the D.A. Akyab No 292 dy 20-9-18 Forwards a copy of the Bill together with Copy of the Statt. Objects & reasons.
3	From the D.A Resident No 6747 dy 27-9-18 States that the Resident sees no prima facie objection to the Bill being placed in the Legis Co.
	31) Subd. ~~The Mayone Gazette~~ The issue of the Mayone Gazette referred to, in the letter from the Residency, is not available in the General Records. The Bill has to be referred to the Legis. Council. The point referred to by the Residency may be considered in the Select Committee. In the meanwhile a further search will be made for the gazette. 8.10.18 MVR. 1/11/18

xx part III of M. G. dy 19th April 1894.

Rattan Shaw Asst Govt should not have a copy of the Gazette Please let me have the copy of the Gazette with Regd. publication number SR

NOTE—Contn. sheet.

WD A 1789—GPB—60,000—20-8-18—S.

G. R. S. III-2]

General and Revenue Secretariat. | Legn File No. 8 of 191 8.

Serial No.

4 Pp. 1 Dr
Legn. Dept.

21) A copy of Mysore Gazette which published Regn IV of 1894 is herewith submitted (please vide Reg F in the Gazette).
MOR. 19-11-18

22) This Bill may be included in the agenda for the next meeting of the Leg Council
Srinivasa Iyer 20/11

The Rule has not been correctly printed in the Mysore Code as printed not by under 7. the amendment to sub-sec (3) of 8 s may be omitted.
SS 20/11

23) Submd. The Bill has been included in the agenda for the meeting of the 24th March 19 Forms for obtaining the written permission of the Dewan under Sec 12 of the Legve Council Regulation, have already been sent.
AAR 17/3

NOTE—Contn. sheet.

WD A 1799—GPB—60,000—20-8-18—S.

G.R.S. III—3]

479

101.

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

~~35~~ Sub^d

44) As regards Reg: Reg^n kind ref^e is invited to the proviso to S. 12 of the Legis^e Council Reg^n which expressly provides that it shall not be lawful for the Council to consider any measure affecting the Railways.

Also as regards for orders whether the Bill may not be excluded from the Agenda.

Sub^d for orders

P. Mahadevayya

18/3

~~36~~ 35) The Bill may be excluded from the Agenda.

C.S Balasundaram

18/3/19

~~37~~ 36) Chief Secy / 1st Member

38) Dewan

I have remarked upon this reference in connection with the above Sec^n 44

K.S. Chellappa

18/3

~~1~~ 1)

~~2~~ 2) Municipal Vaccination known regl 1894 based

AR Banerji

19.3

~~10~~ 9) In 1894 there was no Legislative Council - All legislative measures were then considered by the Executive Council & submitted to H.E. for approval - they were sent up to the Govt of India where then sanction was required -

When the Legislative Council was created certain matters (among them Railways) were excluded from the Scope of the Legis^e Council

30) This point escaped attention when the bill was dealt with in Sept 1918 & has been noticed now.

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

5783.

18.3.19.

5633.

21-3-19.

Dewan 31 Sec^y 21/3/19. Pr^m 21/3

AC Pr 21/3

G.R.S. III—3]

470

Routine Notes.

[To be used only for notes, requisitions, etc.; not intended for permanent record.]

~~43~~ 32) Sub for information as the Bill has been excluded from the Trial Rules

Bombay 22/3 Secy

5624-219 22.3.19.

(II Member ~~in~~

~~Home Member~~ 33 Secy

Recd 22.3.19 Home

Reed 31/3 Asst

34

~~Sub~~

~~35~~ As the Bill has already been approved by the Member of Council, it now only remains to obtain the sanction of the Govt of India for passing the Bill as law & then submit the Rules

Page 203 of the notes

35

~~40~~ Sub with a draft to Address accordingly, for orders. Amendment proposed to Sub-section (3) of Sec 3 will be omitted for reasons stated in para 2 of the Resn letter of 27.9.18 and the note of the Asst Secy

N.B. Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

4707 12

General and Revenue Secretariat. | Legis File No. 8 of 191 8.

Serial No.

In the margin of page 9.

Ans 7/4 36) 47) I Memo to G.S. No. has also to be put up. (Addl para of 29. Subs Note dt 2.9.18).

37) Memo put up G.S.N. D. Mahadeva 9/4

46) 44) 36) Subd with a DSN.

Ans 11/4 38) 50) G.S. No. & draft letter to the Resid^cy are submitted for approval D. Mahadeva 10/4 marginal

1201 1.4.19

I Member

51) Appd ft/10/4

52) Subd with G.S.N. & draft letter to the Residency. D. 10/4

Chief Sec^y

Memo put up for signature of Member & putting up D.S.N.

Ans 18/4/19 D. 19/4

Subd with the DSN signed by I member.

D.S.N. is also put up.

Ans 21/4 Subd with G.S.N. D. 21/4

Chief Sec^y

Dewan

4/5/19 D. 4/5

DEWAN'S OFFICE.
Recd. on MAY 3 1919
Reg. No. 6021.

NOTE—Contn. sheet.

WD A 1789—GPB—60,000—20-3-19—S.

Final Note by the First Member of Council.

Subject:—

BILL TO AMEND THE MYSORE RAILWAY REGULATION, 1894.

page 7 of the notes.

(10) On the 10th September, 1918 sanction was accorded by His Highness for placing the Bill to amend the Mysore Railway Regulation, 1894, before the Legislative Council, and the usual intimation was also sent to the Residency. As the measure falls under the proviso to Section 12 of the Mysore Legislative Council Regulation, 1907, it is now found that the proposal to place the Bill before the Legislative Council was due to an oversight, and that further action has to be taken to pass the Bill into law under Section 14 of the said Regulation.

(11) Sanction of the Government of India being necessary to the enactment of the Bill, it is proposed to address the Residency in the matter. This may be graciously approved.

21st April 1919.

MEMBER OF COUNCIL.

14

14

Submitted to His Highness.

42) *I submit herewith a Final Note by the* First *Member of Council on the subject of* the Bill to amend the Mysore Railway Regulation, 1894, ...

for His Highness' gracious approval.

Dewan.

3.5.-19

15

15

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Bill to amend the Mysore Railway Regulation, 1894.

1146

43) *Order.*

~~KRW~~

7/5/19

Chief secy 4

12.5

Constabulary

Cos

12/5 P.M. 12/5

General and Revenue Secretariat. | Legn File No. 8 of 1918.

Serial No.

~~Submitted with the Draft G.O.~~

~~SR~~ 44) May the Draft to the Residency
~~13.5.19~~ approved by the 1st Member be issued

SR
13.5.19
AM
18/5

45) Yes. Please pass
Mysuru
13/5/19

4

To

The F.A. Resident— No. f 1137 & 15/5/19

With reference to 3 states that, as the measure falls under 6(9) of the proviso to Section 12 of the Mysore Leg. Council Regulation, it is excluded from the purview of the Leg. Council & requests that the Sanction of the Govt of India may be obtained for passing the Bill in to Law.

Govt 18/5/19

5

From The F.A. Resident
No. 5033 & 276. 19

8 JUN 1919

~~As~~ Communicates the sanction of the Govt of India to the Bill & suggests that the marginal heading of Sec. 96 may be suitably amended

46) The words 'any half' should be substituted for 'return half' in the marginal heading of Sec 96. Addition in this regard is made in clause 7 of the Bill, for consideration.

47) His Highness's Sanction has to next

S

NOTE—Contn. sheet.

17 7

General and Revenue Secretariat. | Legis File No. 1983 of 1918.

Serial No.

be obtained for promulgating the Bill into law. Drafts of final Submission notes are subd.

AM 5/7

(48) Subd and with 216-A. D. M. Pranada. 8/7

216-216
8.7.19

II Member

D. S. R. approved
Jews
9.7.19
Govt

D.S. R. submitted

Dewan

DEWAN'S OFFICE.
Recd. on JUL 14 1919
Reg. No. 385

USY
1/7/19
Govt

NOTE—Contn. sheet.

SECOND

Final Note by the ~~Extra~~ Member of Council.

18
18

Subject:—

Promulgation as law of the Bill to amend the Mysore Railways Regulation, 1894.

4) As approved by His Highness on 7th May 1919, the Residency was addressed in the matter, and the sanction of the Government of India to the Bill has since been received (vide Residency letter No.5033 dated 27th June 1919). The marginal note to Section 96 has been amended, as suggested by the Residency in para 2 of their letter.

pgs 13 & 15 Office notes

H.

2.5) The assent of His Highness the Maharaja may now be graciously given to promulgate the Bill into law, under Section 14 of the Mysore Legislative Council Regulation, 1907.

JB

P Raghaviah Rao
10.7.19

9th July 1919.

MEMBER OF COUNCIL.

7

Submitted to His Highness.

57) *I submit herewith a Final Note by the* Second *Member of Council on the subject of* promulgation as law of the Bill to amend the Mysore Railways Regulation, 1894. *for His Highness' gracious approval.*

Dewan.

15th July 1919

(28)

2.
20

Record of Cases submitted for the Orders of His Highness the Maharaja

Subject.

Promulgation as law of the Bill to amend the Mysore Railways Regulation, 1894.

122.

52) *Order.*

~~KRW~~

17/7/19

Ch. Leg
Legal
18.7.19

Read
21/7

General and Revenue Secretariat. | Legis File No. 8 of 1918.

Serial No.

53) Subd with a draft G.O. publishing the (the) Regulation as No X of 1919.

Issue
GBHelikar
24.7.19

Asd 24/7

54) Resubd for orders as to whether any G.O may issue. Usually the Asst Secy issues such drafts for issue.

Asd 24/7

6 ✓ Re Comptr, Supreme Gazette
No G. 2091 dy 26.7.19
Publishes the Regulation as G.O. No X

Spare copies have been received Subd. with the same draft to the Regy & the Virgin Govt. for forwarding copies of the Regn.

86
26/8/19.
Asd 1918

J Shaw
D.I.G.P.

7 ✓ Ad. P.A. & Bdle 265 dy 1.7.19
forwards 9 Copies of the Regulation.

8 ✓ Mackay Esq, Ld, JAE 4
h

NOTE—Contn. sheet.

6258 W Book
29.5.18

698 Lwe 5, one Section and one Bond

GPB—1,500—6-8-13 27

RY.7.]

MYSORE RAILWAY DEPARTMENT.

Lwe 8-18-Sl

TO THE DEWAN OF MYSORE

FOR ORDERS.

———o———

The Mysore Railways Regulation was passed in 1894 and was based on the Indian Railways Act of 1890. Since then the latter Act has been amended by the Indian Railway Amendment Act of 1896. -- Amendments to bring up the Mysore Regulations to date on the basis of the Indian Amendments were got up and the Chief Secretary to Government was requested to take steps to have the Mysore Railways Regulation amended accordingly. In reply, he states that legislative action is only taken after either Government or the Dewan or a Member of Council orders that such action should be taken.

2. As the amendments are all very necessary in the interests of Railway working, I solicit the favour of orders of Government to have the Mysore Railways Regulation of 1894 amended according to the Indian Railway Amendment Act of 1896. A statement showing the amendments required to be made is also herein enclosed.

M.K.Muddaraslialee
Under Secretary in charge,
Railway Secretariat.

Bangalore,
25th May 1918.

25/5

Action may be taken in the Legislative Branch of the General & Revenue Secretariat as proposed by the Railway Secretary.

9.7.18.

50
19.7.18.

Q.170 26 Lwe 5, one Section and one Bond 17.7.18. Forwarded, with Compliments.

To the Chief Secy to Govt for favour of necessary action.

M.K.Muddaraslialee
Secretary for Dewan
Govt of Mysore

6.7.18

1181

GEN JUDICIAL 19 JUL 1918 09078

SECRETARIAT 19 JUL 1918

SECL.

Amendments to be made in the Mysore Railways Regulation of 1894.

---

1. The addition of the words "lines of Railway" between the words "roads" and "ways" in section 7 (1) (a).

2. The substitution of the words "with the provisions of sections 11 to 15 both inclusive, sections 18 to 35 both inclusive and sections 53 and 54 of the Land Acquisition Act 1894 and the provision of sections 51 and 52 of that act shall apply to the Award of compensation" and certain reference to clauses of the Land Acquisition Act of 1870 in section 10.

3. The substitution of the words "sub section 2" for the words "sub section 1" in section ~~53~~.43

4. The addition of the words "mules" before the word "Camels" and "donkeys" before "sheep" in section ~~73~~ 57

5. The omission of section ~~81~~ 65 of the Act relating to the limitation of liability of Railways in respect of traffic on Inland waters.

6. The substitution of the words "any half" for the words "return half" and "the journey" for "the return journey" in section ~~114~~.96

7. The addition of the words "or of any local authority or person having by law power to attach or distrain property or otherwise to cause property to be taken in execution" between the words "Court" and "without" in section ~~136~~.118

It is also desirable to refer to the Local Regulations like the Mysore Land Acquisition Regulation of 1894 and the Mysore Tramways Regulation of 1906 that have been passed since 1890 in the place of the corresponding British Indian Acts, sections 3 (1) and 10.

In section 3 (3) of the Mysore Railways Regulation the word "water" seems to have been omitted after the word "Indland" and this requires to be corrected.

ALM.

24/8/15

Do typist
Please type 9 others
of the Bill and St. of
objects and reasons
18/9

G. R. S. VI—G/32] 14/9

24

SUBJECT.....

.....

.....

Diary No. of letter replied to .....

Section Legis.
File No. 8-18
Serial No. 2

GENERAL AND REVENUE SECRETARIAT

( )

, *the* 191 .

111 No. 292 Fr. qu 20-9-18

Date of issue 20-9-18

To

Signed by [illegible]

The J. A. Resident in
Mysore

Sir

I am directed to forward herewith a copy of the Bill to amend the Mysore Railway Regn, 1894, as together with a copy of the Statement of Objects and reasons thereof and to state

42

over.

Legis.

that the Bill will be
placed before the Legis-
Council in due course.
I have &c.

for Chief Secretary

Draft
8/9

List of enclosures. two

Copied by

Examined by

WD96—GPB—60,000—15-11-16

E-4707

R. O. 2.—E. P. Re-6-1918.—500.

No. 6744.

FROM

MAJOR E. H. S. JAMES,
FIRST ASSISTANT TO THE RESIDENT IN MYSORE.

To

The Chief Secretary to the Government of
His Highness the Maharaja of Mysore.

Dated Bangalore, 27th September 1918.

SIR,

With reference to your letter No. 292., dated the 20th September 1918, forwarding a copy of the Bill to amend the Mysore Railway Regulation, 1894, I am directed to say that the Hon'ble the Resident sees no prima facie objection to the Bill being laid before the Legislative Council.

2. I am to point out that the amendment proposed in Section I (a) of the Bill seems to be unnecessary, since the words "inland water" occur in sub-section 3 of section 3 in the copy of the Regulation as published in Part III of the Mysore Gazette, dated the 19th April 1894. The word "water" has been omitted perhaps by mistake in the copy of the Regulation in Volume II of the Mysore Code.

3. I am to add that the Bill will require a reference to the Government of India in due course.

I have the honour to be,
Sir,
Your most obedient servant,

E H S James

BJ

FIRST ASSISTANT RESIDENT

G. R. S. VI—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

Section Legis
File No. 8 of 18
Serial No. 4

GENERAL AND REVENUE SECRETARIAT,

( )

the 191

No. Pol. 1137 & 15-5-19

Ex-2

Date of issue 15-5-19

To

Signature C.S. Balasundaram

The D.A. Resident.

Sir,

Adverting to the correspondence ending with your letter no. 6747 & 27-9-1918 regarding the Bill to amend the Mysore Railway Regn, 1894, I am directed to state that the measure falls under cl(g) of the proviso to section 12 of the Mysore Legislative Council Regulation and as such it is excluded from the purview of the Legislative Council, By an oversight, however, the Bill was

the matter to place it before the Legislative Council

over.

Bill To amend the Mysore Railways Regulation 1894.

Whereas it is expedient to amend the Mysore Railways Regulation 1894; His Highness the Maharaja is pleased to enact as follows :-

Amendment of Section 3, Sub Section (1).

In section 3 sub section (1) of the said Regulation the words "the Mysore - Tramways Regulation, 1906" shall be substituted for the words "the Indian Tramways - Act, 1886'

Amendment of Section 7, Sub Section (1) Cl.(a).

2. In Section 7, sub section (1), clause (a) between the word "roads" and the words "ways, passage" the words "lines of railway" shall be inserted.

Amendment of Section 10 Sub Section (2).

3. The following shall be substituted for sub-section 2 of Section 10 :-

"A suit shall not lie to recover - such compensation but in the case of dispute the amount thereof, shall, on application to the Deputy Commissioner, be - determined and paid in accordance so far as may be, with the provisions of sections 11 to 15, both inclusive, sections 18 to 34, both inclusive, and sections 53 and 54 of the Mysore Land Acquisition Regulations 1894 and the provisions of sections 51 and 52 of that Regulation shall apply to the award of compensation.

Amendment of Section 43, Sub-section (3).

4. In Section 43, sub section (3) for "sub section (1)" the words "sub section 2)" shall be substituted.

30

Amendment of Section 57, Sub Section (1).

5. In section 57, sub section (1) before the word "camels", the word "Mules" and - before the word "sheep" the word "donkeys" shall be inserted.

Repeal of Section 65.

6. Section 65 is repealed.

Amendment of Section 96.

7. In section 96 for the words the "return half" the words "any half" shall be substituted and the word "return" in the words "the return journeys" shall be - omitted.

Amendment of Section 118, Sub Section (1).

8. In Section 118, sub section (1) after the word "Court" the words "or of any - local authority or person having by law power to attach or distrain property or otherwise cause property to be taken in execution" shall be added.

Statement of Objects and Reasons.

The Mysore Railways Regulation was passed in 1894 based on the Indian Railways Act of 1890. The Indian Act has since been amended by the Indian Railways Act Amendment Act IX of 1896.

It is therefore considered desirable to amend the Mysore Railways Regulation on the lines of the Indian Amendment Act of 1896.

Sch Secrt

7 JUN 1919

Pol 175-20

R. O. 2.—R. P. B.—2-1919.—2,000.

No. 5038.

9203.

FROM

~~C. T. G. FLOWER,~~
MAJOR E. H. S. JAMES, I.A.
FIRST ASSISTANT TO THE RESIDENT IN MYSORE.

To

The Chief Secretary to the Government of
His Highness the Maharaja of Mysore.

Dated Bangalore, 27th June 1919.

SIR

With reference to the correspondence ending with your letter No. Pol.1137, dated the 15th May 1919, regarding the Bill to amend the Mysore Railways Regulation IV of 1894, I am directed to state that the Governor-General in Council is pleased to accord his consent to the Bill, on the understanding that he retains over it the power and authority which vest in him by virtue of Article 10 of the Treaty dated the 26th November 1918.

It is suggested that the marginal heading of section 93 of the Regulation be amended so as to bring it into line with the proposed amendment.

I have the honour to be,
Sir,
Your most obedient servant,

First Assistant Resident.

G. R. S. VI.—S-III/14]

DRAFT.

SUBJECT.....

.....

.....

Section. } Legis 8-18
File No. }
Serial No. 6

Proceedings of the Government of
H. H. the Maharaja of Mysore.

Diary No. of letter replied to.....

Order No. 5209 & 26-7-19

GENERAL AND REVENUE SECRETARIAT,

( )

, *the*.....191 .

Ordered that the accompanying Regulation (Regulation to amend the Mysore Railways Regulation, 1884) which received the assent of His Highness the Maharaja, on the 17th day of July 1919, be published as Regulation No. X of 1919, in the *Mysore Gazette* for general information.

Date of issue 26/7/19

Signed by.....

May this be—

(i) Printed?

(ii) Treated as a standing order?

(iii) Published in the "Gazette" English part?

(iv) Translated?

(v) Placed at the disposal of the Press?

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Chief Secretary to Government.

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Regulation X of 1919.

A Regulation ~~XIII~~ to amend the Mysore Railways Regulation. 1894.

(Received the assent of His Highness the Maharaja on the 17th day of July 1919.)

Whereas it is expedient to amend the Mysore Railways Regulation 1894; His Highness the Maharaja is pleased to enact as follows:-

Amendment of section 3, sub-section (1).

In section 3 sub-section (1) of the said regulation the words "the Mysore Tramways Regulation, 1906" shall be substituted for the words "the Indian Tramways Act, 1886"

Sub-section (3)

(a) In sub-section (3) of the same section, after the word "in land" the word "water" shall be ~~added~~ inserted.

vide Resident's letter of 27.9.18

Amendment of section 7, sub-section (1), cl. (a).

2. In section 7, sub-section (1), clause (a) between the word "roads" and the words " ways, passages " the words "lines of railway" shall be inserted.

Amendment of section 10 sub-section (2).

The following shall be substituted for sub-section 2 of Section 10:-

"A suit shall not lie to recover such compensation but in ~~the~~ case of dispute the amount thereof, shall, on application to the Deputy Commissioner, be determined and paid in accordance so far as may be, with the provisions of sections 11 to 15, both inclusive, sections 18 to 34, both inclusive, and sections 53 and 54 of the Mysore Land Acquisition Regulations, 1894 and the provisions of sections 51 and 52 of that Regulation shall apply to the award of compensation."

Amendment of section 43, sub-section (3).

4. In section 43, sub-section (3) for "sub-section (1)" the words "sub-section (2)" shall be substituted.

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Amendment of section 57 sub-section (1).

5. In section 57, sub-section (1) before the word "camels ", the word "mules," and before the word "sheep " the word "donkeys shall be inserted.

Repeal of Section 65.

6. Section 65 is repealed.

Amendment of Section 96.

7. In section 96 for the words the "return half" the words "any half" shall be substituted and ~~for~~ the word "return" in the words " the return journey" shall be omitted.

and in the marginal heading thereto;

D.W. 8/7

Amendment of Section 118, sub-section (1).

8. In section 118, sub-section (1) after the word "Court" the words "or of any local authority or person having by law power to attach or distrain property or otherwise cause property to be taken in execution" shall be added.

3/8/18

ACH.

Statement of objects and reasons.

The Mysore Railways Regulation was passed in 1894 based on the Indian Railways Act of 1890. The Indian Act has since been amended by the Indian Railways Act Amendment Act IX of 1896

It is therefore considered desirable to amend the Mysore Railways Regulation on the lines of the Indian amendment act of 1896.

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record]

REGULATION X OF 1919.

(Received the assent of His Highness the Maharaja on the 17th day of July 1919.)

A Regulation to amend the Mysore Railways Regulation, 1894.

WHEREAS it is expedient to amend the Mysore Railways Regulation, 1894; His Highness the Maharaja is pleased to enact as follows:—

In Section 3, sub-section (1) of the said Regulation, the words "the Mysore Tramways Regulation, 1906" shall be substituted for the words "The Indian Tramways Act, 1886." Amendment of Section 3, sub-section (1).

2. In Section 7, sub-section (1), clause (*a*), between the word "roads" and the words "ways, passages" the words "lines of railways" shall be inserted. Amendment of Section 7, sub-section (1) clause (*a*).

3. The following shall be substituted for sub-section 2 of Section 10:— Amendment of Section 10, sub-section (2).

"A suit shall not lie to recover such compensation but in the case of dispute the amount thereof, shall, on application to the Deputy Commissioner, be determined and paid in accordance, so far as may be, with the provisions of Sections 11 to 15, both inclusive, Sections 18 to 34, both inclusive, and Sections 53 and 54 of the Mysore Land Acquisition Regulation, 1894, and the provisions of Sections 51 and 52 of that Regulation shall apply to the award of compensation."

4. In Section 43, sub-section (3), for "sub-section (1)," the words "sub-section (2)" shall be substituted. Amendment of Section 43, sub-section 3.

5. In Section 57, sub-section (1), before the word "camels," the word "mules," and before the word "sheep" the word "donkeys" shall be inserted. Amendment of Section 57, sub-section 1.

6. Section 65 is repealed. Repeal of Section 65.

7. In Section 96 and in the marginal heading thereto, for the words "the return half" the words "any half" shall be substituted and the word "return" in the words "the return journey" shall be omitted. Amendment of Section 96.

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